

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

M E M O R A N D U M

Honorable Oliver W. Wanger
Senior United States District Judge
Fresno, California

RE: AMADO ESCOBEDO
Docket Number: 1:05CR00143-01 OWW
RECOMMENDED CORRECTION OF
JUDGMENT

Your Honor:

On June 27, 2011, the defendant appeared before Your Honor in reference to a Petition for Warrant for Offender Under Supervision. The Petition alleged the following charges: Charge 1, New Law Violation; and Charge 2, Association With Prohibited Person. The offender admitted Charge 2. No dispositional memorandum was requested, and the offender was sentenced as follows: 14 months BOP, 24 months supervised release, a residential substance abuse treatment program, preferably Delancey Street, at the direction of the probation officer, and the previously ordered special conditions of supervised release (The probation officer was ordered to supply the conditions to the clerk).

During the hearing, the probation inaccurately represented that the offender could serve a 24-month term of supervised release. According to 18 USC 3583(b)(2), since the offender's underlying offense is a Class D Felony, he can serve a maximum term of 3 years supervised release. Upon revocation of supervision, pursuant to 18 USC 3583(h), the Court may impose another term of supervised release; however, the maximum term of supervised release authorized must be reduced by the custody term imposed on the revocation.

Since the offender will serve a 14-month term of imprisonment, no more than 22 months of supervised release can be imposed (36-month maximum term authorized, less 14 months).

RE: AMADO ESCOBEDO
Docket Number: 1:05CR00143-01 OWW
CORRECTION OF JUDGMENT

Therefore, the recommendation is for the Court to order a 22-month term of supervised release instead of the 24 months that was previously ordered. The government has been contacted and has no objections to the proposal.

If the Court has any questions, please do not hesitate to contact the undersigned officer at (559) 499-5718.

Respectfully submitted,

/s/ Rick C. Louviere

Rick C. Louviere
Assistant Deputy Chief Probation Officer

Dated: June 28, 2011
Fresno, California
RCL:rcl

THE COURT ORDERS:

(X) The previous order of 24 months supervised release be rescinded and the offender is ordered to serve 22 months supervised release.

() Other:

June 28, 2011

Date

/s/ OLIVER W. WANGER

Signature of Judicial Officer

cc: Yasin Mohammad
Assistant United States Attorney

Eric Kersten

RE: AMADO ESCOBEDO
Docket Number: 1:05CR00143-01 OWW
CORRECTION OF JUDGMENT

Defense Counsel